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February 20, 2008

**VIA FACSIMILE: (914) 390-4085**

Honorable Charles L. Brieant  
United States District Court  
Southern District of New York  
United States Courthouse  
300 Quarropas Street, Room 275  
White Plains, New York 10601

Re: Gordon v. Perdue Transportation, Inc.  
Docket No.: 07 Civ 6363  
D/Accident: 12/26/06  
GS File No.: 3401.0001

Dear Judge Brieant:

We are counsel to the defendant in the above captioned matter. There is a conference scheduled before Your Honor on February 22, 2008. We were to have completed discovery by that time. Discovery is indeed substantially completed.

On February 19, 2008, the deposition of plaintiff's designated expert/ treating physician was commenced. Due to patient commitments, however, we were unable to complete the deposition within the time frame that the physician allotted. As a result, the deposition has been scheduled to be completed on March 5, 2008. We expect that it will be finished at that time.

Once that is done, and the defendant's physical examination report has been exchanged, we believe that necessary discovery in this action will be complete.

We are writing to determine whether Your Honor would prefer to conduct a conference on February 22, 2008, as currently scheduled, or reschedule the conference for a date beyond March 5, 2008, when the deposition of plaintiff's expert will be completed. We are available to come in if that is the Court's desire, or to come in on some further date to be scheduled, if that is the Court's desire. This letter has been reviewed by counsel for the plaintiff, who agrees with its contents.

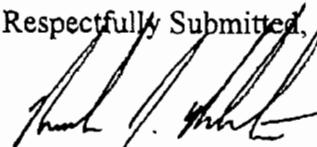
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Respectfully Submitted,

  
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MJM/jh

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